

Agenda

Item #4



THE MAINE ASSOCIATION OF
MENTAL HEALTH SERVICES

United and inclusive voice for Mental Health Issues

April 18, 2008

Jeremy J. Brown
PAC, Party and Lobbyist Registrar
242 State Street
Augusta, Maine 04333-0135

Dear Mr. Brown:

In response to your letter of April 16, regarding my late monthly lobbyist disclosure report for March 2008, please accept my sincere apology for the oversight of my required compliance with the filing deadline, due to my misunderstanding about the dates requested being parallel with my month of hire. In fact, my responsibility for filing with the Commission was confused by the date of my hire, on March 10, 2008, as the new Executive Director of the Maine Association of Mental Health Providers.

I became registered as a lobbyist for the Association on March 19, 2008, which led me to the conclusion that my first filing date would be 30 days after my first month of work, or, May 15, 2008.

Please consider the first weeks of my employment, while I filed as a lobbyist, as a misunderstanding about my filing requirements, and, therefore an apologetically valid reason for my late compliance with the Commission. I only worked for two weeks in March with no active lobby activity to claim. In the month of April, 2008, I am in the process of following up with activity related to one bill, the supplemental budget bill, amendment LD 2290.

I sincerely appeal to your preliminary determination about the \$100 penalty, requesting this be removed, due to my date of hire being half way through the month of March, 2008. Moreover, I apologize for this mistake and promise it will not occur again.

Please inform me of further action required. Thank you for your consideration.

Sincerely,

Juliana L'Heureux BS, RN, MHSA
Executive Director



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

April 16, 2008

Ms. Juliana L'Heureux
Lobbyist
Maine Association of Mental Health Services
45 Memorial Circle
Augusta, ME 04330

Re: Monthly Lobbyist Disclosure Late Filing

Dear Ms. L'Heureux:

Our records show that your March monthly lobbyist disclosure report has not been filed to date. All lobbyists registered with the Commission are required to electronically file their monthly reports no later than 5:00 p.m. on the 15th of every month, or the next business day should the 15th fall on a weekend or holiday. Penalties are assessed for all reports not received by the deadline and every month thereafter that the report remains delinquent.

Pursuant to 3 M.R.S.A. § 319(1), the Commission has assessed a preliminary penalty of **\$100** for the late filing of this report. Please note that failure to pay this penalty or to file your delinquent report could result in suspension from further lobbying until the failure has been corrected.

If you believe you have a valid reason for filing late, you may request that the Commission make a final penalty determination. Any request for a Commission determination must be made within 10 calendar days of receiving this notice, beginning the day you sign for receipt. Upon receipt of your request for a Commission determination, we will schedule you to appear before the Commission at the next regularly scheduled meeting. You may appear before the Commission personally, designate a representative to appear on your behalf, or submit a written statement in which you provide an explanation of the mitigating circumstances you wish the Commission to take into consideration. The Commission will notify you of the disposition of your case shortly after its determination.

Please direct any questions you may have about this matter to me at 287-6221.

Sincerely,

COPY

Jeremy J. Brown
PAC, Party & Lobbyist Registrar

Enclosure (1)

OFFICE LOCATED AT: 242 STATE STREET, AUGUSTA, MAINE
WEBSITE: WWW.MAINE.GOV/ETHICS

PHONE: (207) 287-4179

FAX: (207) 287-6775



Multiple Reports for Ms. Juliana L'Heureux

Please select a report
first...

Monthly Report - Short Form

Report Description	Report Status	Report Date		
March -- 2008	Filed	4-18-2008	Delete	Print



Instructions to:

Create new monthly report - click the Add button

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Every registered lobbyist is required to file monthly reports that contain, among other things:

- the amount of compensation received during the month;
- other expenses incurred in the course of lobbying;
- legislative actions and documents that were the subject of lobbying during the month; and
- money or things of value given to or on behalf of Legislators.

Monthly reports must be filed electronically and are due by 5:00 p.m. on the 15th of the month following the month covered by the report (e.g., the April Report is due on May 15th).

Lobbyists who file late reports will be assessed a penalty of \$100 per month late.

Once a lobbyist is registered, he or she must file a report every month even if the lobbyist performed no lobbying or received no compensation for the month covered by the report. If the lobbyist performed no lobbying for the employer during the month, the lobbyist may file a short form indicating that no lobbying was performed.

The lobbyist is required to file reports covering each month through the end of the lobbying year (November 30). After the legislative session is concluded, if the lobbyist anticipates conducting no further lobbying for the employer through November 30, the lobbyist may request a waiver of the requirement to file monthly reports.

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3 MRSA §319. Penalty

1. Failure to file registration or report. Any person who fails to file a registration or report as required by this chapter may be assessed a fine of \$100 for each person listed or who should have been listed on the lobbyist registration for every month the person fails to register or is delinquent in filing a report pursuant to section 317. The commission may waive the penalty in whole or in part if the commission determines the failure to register or report was due to mitigating circumstances.

[1993, c. 691, §22 (RPR) .]

1-A. Notice of suspension. Any person who fails to file a report or pay a fee as required by this chapter may be suspended from further lobbying by written notice of the commission until such failure is corrected.

[1993, c. 446, Pt. B, §12 (AMD) .]

2.

[1979, c. 632, §3 (RP) .]

3. Exemption. Notwithstanding section 317, subsection 1, a registered lobbyist is exempt from the penalty imposed under this section if, while the Legislature is convened in special session, the lobbyist failed to file a report with the commission pursuant to section 317 if no lobbying has been performed during that special session.

[1993, c. 446, Pt. B, §13 (AMD) .]

SECTION HISTORY

1975, c. 576, (NEW). 1975, c. 621, §2 (RP). 1975, c. 724, (REN). 1977, c. 696, §17 (AMD). 1979, c. 632, §3 (RPR). 1989, c. 114, (AMD). 1991, c. 465, §2 (AMD). 1993, c. 446, §§A15,B11-13 (AMD). 1993, c. 691, §22 (AMD).